

### REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-18 will be pending.

#### §103 Rejection of Claims 1-3, 7-9, and 13-15

In Section 7 of the Office Action, the Examiner has rejected claims 1-3, 7-9, and 13-15 under 35 U.S.C. §103(a) as being unpatentable over Matoba *et al.* (U.S. Patent 6,392,669; hereinafter referred to as “Matoba”) and Pietropaolo *et al.* (U.S. Patent 6,351,765; hereinafter referred to as “Pietropaolo”). This rejection is respectfully traversed below.

Claims 1-3, 7-9, and 13-15 are directed to a reservation registration apparatus, method, and storage medium that enables relatively easy reservation registration. For example, in one aspect, a reservation registration apparatus enables reservation registration by displaying a reservation subject icon representing a reservation subject and by using a time base display area. When the reservation subject icon is moved onto the time base display area, a reservation time display division is displayed in a timeline indicating a starting time and an ending time.

The Examiner maintains the rejection of claims 1-3, 7-9, and 13-15 by claiming that there is a motivation to combine the prior art references of Matoba and Pietropaolo. The applicant however respectfully disagrees with this assertion.

It is indicated, “Matoba teaches a reservation registration apparatus, method, and storage medium (see column 2, line 41). ... Matoba however doesn’t teach a time based display area, wherein when an icon is moved into the display area, the display area displays the corresponding time division.” (Section 7 of the Office Action). It is also indicated, “Pietropaolo teaches a

media editing system” (Section 7 of the Office Action). Therefore, it seems that there is no motivation in Matoba to combine the schedule management system of Matoba with the media editing system of Pietropaolo. Furthermore, it appears that there is no motivation in Pietropaolo to combine the media editing system with the schedule management system of Matoba. On the contrary, Pietropaolo seems to teach away from the main purpose of Matoba’s schedule management system of providing global file access and sharing without time limitation. The main purpose of Pietropaolo’s media editing system is to allow retrieval of video segments “at a higher quality, only those video segments that are actually used in the final program ... Moreover, the video segments can be retrieved at off-peak times, so as not to overburden the network during peak hours (e.g., 8 am – 6 pm).” (Pietropaolo, column 5, lines 2-6).

According to MPEP §2143, to establish a *prima facie* case of obviousness, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). As discussed above, it seems that there is no suggestion in either Matoba or Pietropaolo to combine the two prior art references. It seems that the Examiner is using hindsight of the applicant’s disclosure to combine the two references rather than finding the motivation to combine within the references.

Based upon the foregoing discussion, it is submitted that claims 1-3, 7-9, and 13-15 are not anticipated by nor rendered obvious by the teachings of Matoba and Pietropaolo, individually or in combination, as presented and referenced by the Examiner. Accordingly, it is respectfully requested that the Examiner’s rejection of claims 1-3, 7-9, and 13-15 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 4, 5, 10, 11, 16, and 17

In Section 10 of the Office Action, the Examiner has maintained the prior rejection of claims 4, 5, 10, 11, 16, and 17 under 35 U.S.C. §103(a) as being unpatentable over Matoba, Pietropaolo, and Prothereo *et al.* (U.S. Patent 6,414,686; hereinafter referred to as “Prothereo”). This rejection is respectfully traversed below.

For the same reasons stated above regarding the motivation to combine Matoba and Pietropaolo, the applicant respectfully disagrees with the assertion that there is a motivation to combine references Matoba, Pietropaolo, and Prothereo.

Based upon the foregoing, it is submitted that claims 4, 5, 10, 11, 16, and 17 are not anticipated by nor rendered obvious by the teachings of Matoba, Pietropaolo, and Prothereo, individually or in combination, and respectfully requests withdrawal of the rejection of claims 4, 5, 10, 11, 16, and 17 based upon 35 U.S.C. §103(a).

§103 Rejection of Claims 6, 12, and 18

In Section 11 of the Office Action, the Examiner has maintained the prior rejection of claims 6, 12, and 18 under 35 U.S.C. §103(a) as being unpatentable over Matoba, Pietropaolo, and Crow *et al.* (U.S. Patent 6,538,665; hereinafter referred to as “Crow”). This rejection is respectfully traversed below.

For the same reasons stated above regarding the motivation to combine Matoba and Pietropaolo, the applicant respectfully disagrees with the assertion that there is a motivation to combine references Matoba, Pietropaolo, and Crow.

Based upon the foregoing, it is submitted that claims 6, 12, and 18 are not anticipated by nor rendered obvious by the teachings of Matoba, Pietropaolo, and Crow, individually or in

combination, and respectfully requests withdrawal of the rejection of claims 6, 12, and 18 based upon 35 U.S.C. §103(a).

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-18, is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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